IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO : 4370 of 1995

Between:

T.Ratnaji Rao, S/o. Kameswara Rao.
R/o. Anakapalli, Visakhapatnam.

..... PETITIONER

AND

1 Govt. of A.P., Rep. Principal Secretary. Municipal Administration

and Urban Development Dept., Secretariat Buildings,
Hyderabad.
2 Director of Town and Country Planning, Govt. of A.P.,
A.C.Guards, Hyderabad.
3 Visakhapatnam Urban Development Authority, Rep.

by Vice-Chairman, VUDA Complex, Visakhapatnam.
4 Special Deputy Collector (Land Acquisition) Visakhapatnam

Urban Development Authority, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, direction or order preferably in the nature of a Writ of Mandamus directing the 4th respondent not to continue the acquisition proceedings, including passing of Award and taking possession of the land in S.No. 1538/2C measuring Ac. 1-19 cents of Anakapalli Village by holding Sec. 4(1) notification No. 17/93 published in A.P. Gazette part -I extraordinary dated 30/06/1993 and Sec. 6 declaration published in A.P.Gazette Part-I Extraordinary on 21/01/1994 as illegal and without jurisdiction.

Counsel for the Petitioner:MR.K.SATHYANARAYANA

Counsel for the Respondents 1, 2 & 4: GP FOR LAND ACQUISITION

Counsel for the Respondent No.3:Mrs.Sumalini Reddy

The Court made the following O R D E R:

Heard learned counsel for the parties.

Notification under Section 4(1) of the Land Acquisition Act, 1894 (for short “the Act”) was challenged in this writ petition. Since this Court passed an order of stay, the acquisition could not be completed for the last 10 years. The only ground, which was agitated before this Court is that Section 4(1) notification, was not published. The record has been produced before this Court, in which it has been stated that it was published on 30-06-1993. Therefore, I do not find any merit in this writ petition, which is accordingly dismissed. However, learned counsel for the respondents submits that the respondent authorities are not interested in acquiring the land. That is a matter, which will have to be considered by the respondent authorities. No order as to costs.

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(Bilal Nazki, J)

20th January, 2005.

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To

1 The Principal Secretary, Municipal Administration

and Urban Development Dept., Secretariat Buildings,
Hyderabad.
2 The Director of Town and Country Planning, Govt. of A.P.,
A.C.Guards, Hyderabad.
3 The Vice-Chairman, Visakhapatnam Urban Development

Authority, VUDA Complex, Visakhapatnam.
4 The Special Deputy Collector (Land Acquisition)

Visakhapatnam, Urban Development

Authority, Visakhapatnam.

5 Two C.Cs to the G.P. for Land Acquisition, High Court Buildings,

A.P., Hyderabad. (OUT)

6 Two C.D copies.